

Section 1,463 of the Civil Code, so that a person eighteen years of age can make a will.

The bill passed to engrossment to be read a third time on Thursday.

Second reading of an Act to encourage the establishment of steam communication between Tahiti and the Hawaiian Islands.

The report of the committee was read recommending that for a term of five years, a subsidy of \$1,000 be granted to the contractor for each round trip of a steamer, to be made once each month between Honolulu and Tahiti.

Noble Pua moved the report be adopted.

Rep. Brown moved the report be laid on the table and the bill indefinitely postponed. He voted against the San Diego line and should vote against this for the reason that the country could not stand it.

Noble Phillips, in support of the bill, said that the projectors intended to charter a 750-ton steamer from the Wilder Steamship Company, and the expenses, some \$800 a month, would all be spent in the country. We do not ask for free taxes and wharages, just the \$1000 a month. The imports into Tahiti amount to \$750,000 a year, the most of which goes from America. We have large cattle ranches here. The Government at Tahiti import between twenty and thirty thousand dollars' worth of cattle every year. Would it not be better for us to send our cattle there and sell at a decent profit to the rancher, and encourage breeding in this country. The exports from Tahiti are \$25,000. The trade could be largely increased by this communication. I move the bill pass.

Noble J. M. Horner—I go in for improvements, but have to be convinced they are such. There is nothing raised in Tahiti that we want here. We don't want bananas or coconuts—we have plenty all around us. I cannot see that this communication would be any benefit whatever to the islands.

Noble Widemann—When the San Diego subsidy was up, Noble Horner was full of enterprise—overwhelmed with it. To-day he is all dried up. The French Government want that steamer, and they offer \$3000 a month, but our giving \$1000 a month is out of proportion. All we could send there would be a few head of cattle. In Papeete, where the French Government is, they use three head of cattle a week.

Noble Cornwell—I think it a wise policy to open steam communication with any country. I believe the line to Tahiti will be good thing. I move the bill be considered section by section.

Noble Macfarlane—There appears to be a disposition of the part of some members to vote for this subsidy because of the defeat of the San Diego subsidy. Opposition to that line should have nothing to do with this subsidy. The Hilo trade could not support 2000 tons boats. Livingstone, Clark & Co. have not made a single contract either at Hilo, Mahukona or Honolulu. Wherever they have applied they have been repelled. There is no trade in Hilo to support a line. This is not an independent service—it is part of the Oceanic Service. I move that, to try this line, we insert the sum of \$12,000 in the Appropriation Bill. By the time the year was up, the French Government would do more.

Noble Isenberg thought very little business would be done, and he would vote against it. He moved the previous question. Carried, 16 to 10.

Noble Macfarlane moved the ayes and noes be taken. Carried.

The ayes and noes were then called on the motion to indefinitely postpone the bill, with the following result: Ayes—Bergner, McCarthy, Walbridge, Anderson, Kanoa, Isenberg, C. Brown, Kauli, Baker, A. Horner, Rice, A. S. Wilcox—12.

Noes—Cummins, G. Brown, Widemann, Macfarlane, Muller, Pua, Phillips, J. M. Horner, Parker, Marsden, Cornwell, von Tempelky, Lucas, R. W. Wilcox, Nawahi, Kahookano, Waipulani, Apiki, Paeahole, Kanealii, Halstead, Knudsen—22.

Section 1 was then read authorizing the Minister of Interior to establish a line between Honolulu and Tahiti. Passed.

Section 2 fixes the time of the contract at five years, and grants the privileges in Chapter XLIV, Laws of 1874.

Noble J. M. Horner moved that "two" be inserted in place of "five".

The section passed as in the bill.

Section 3 fixes the subsidy at \$1500 a month for each round trip of a steamer.

Noble Cornwell moved the subsidy be \$1000.

Noble Marsden moved it be for two years at \$1000 each round trip.

Rep. Brown moved the whole section be stricken out.

Noble Muller moved the time be fixed at three years.

Noble Cornwell withdrew his motion, favoring that of Noble Marsden.

Noble Isenberg moved the subsidy be \$500. Rep. Brown \$500, and Noble Widemann \$250.

The motions to fix the time at two years, and the subsidy at \$1000 were passed.

Section 4 provides for a steamer of 750 tons, with a speed of ten knots.

Rep. Kauli moved 1200 tonnage. Lost.

Noble Widemann moved 15,000 tons. (Laughter.)

The section passed as in the bill.

Section 5 relates to the carrying of mails, and passed as in the bill.

Section 6, the effect of the Act was passed.

The title passed, and, after the preamble had been stricken out, the bill passed as amended to engrossment, to be read a third time on Thursday.

Second reading of an Act to amend Chapter XXXI of the Civil Code, relating to Corporations.

The report of the committee recommending the passage of the bill was read.

Sections 1, 2 and 3 were passed as in the bill.

Section 4 was amended, and then passed.

Section 5 was under discussion when, at 4 o'clock, the House adjourned.

Ninety-sixth Day.

TUESDAY, OCT. 7.

The House met at 10 A.M. Prayer by Chaplain. Minutes of the preceding day read and approved.

Rep. Kanealii from the Printing Committee reports the bill to encourage the cultivation of tobacco printed. Ordered to be distributed.

Noble Cornwell resolved that Bill No. 160, "An Act to encourage and promote the cultivation of tobacco," be read by title and referred to a select committee. Adopted.

The bill on suspension of the rules

was read by title and referred to a select committee.

Rep. White offered a resolution that the sum of \$5,000 be inserted in the appropriation bill to encourage the cultivation of pineapples in large quantities for export.

Rep. Brown moved the resolution be laid on the table to be considered with the appropriation bill. Carried.

Rep. Waipulani offered the following resolution: Whereas, one T. W. Simeona was shot and killed by a leper in North Kona while in the execution of his duty, and has left a wife and children in destitute circumstances, resolved, that the sum of \$400 be inserted in the appropriation bill for the relief of the widow.

Rep. Kapaeahole moved the resolution be referred to a select committee, and that the Attorney-General be one of the committee.

Rep. White moved the resolution be laid on the table. The House is not in possession of all the facts. It may be that he was reckless in the execution of his duty. Better wait until after the trial.

Noble Pua thought the resolution ought to be laid on the table permanently. Lots of officers had been shot. Seven men were shot in the palace yard, but no provision was made for their families.

Rep. Kahookano thought the resolution should be referred to a select committee.

Rep. Rickard favored reference to a committee. We know that these lepers in the outer districts are armed and prepared to resist arrest, and as a consequence the officers run great risk.

Minister Peterson was in favor of referring to a committee. What that committee would do would not have any bearing on the jury at the trial a few weeks hence. The facts in the case can be obtained from my office. It is not necessary to bring in a bill. It should be in the shape of immediate relief.

Rep. Rickard on suspension of the rules read a first and second time by title "An Act granting a franchise to the Hanakua Water Company." The bill was referred to a select committee.

Rep. Nawahi: Whereas, on the 8th of October, 1840, the first written constitution was given to the people at Lahaina, and whereas the 8th of October, 1890, makes just fifty years, resolved, that this House adjourn over to-morrow in recognition of the jubilee of the event.

Rep. Kapaeahole supported the resolution.

Rep. Brown thought the best way to observe the jubilee was to stay right here and attend to business. He moved the resolution be laid on the table. Carried—18 to 16.

The House proceeded to the Order of the Day, second reading of "An Act to amend Chapter XXI of the Civil Code, in regard to corporations."

Sections 6, 7, and 8 were passed as in the bill.

Section 9 was amended by Noble Widemann, and then passed as amended.

Sections 10, 11, and 12 were amended and passed as amended.

Section 13 passed as in the bill.

The title was read and the bill passed to engrossment to be read a third time on Tuesday.

The House proceeded to the consideration of the majority and minority reports of the Committee on Education on petitions for establishing English school houses at Waiehe, Maui, and Wailua, Molokai.

Rep. Kapaeahole said the majority report recommended, without giving any particular reasons, that the petitions be laid on the table. The minority report gives strong reasons why the school houses should be built. I hope the minority report will be adopted.

Noble Isenberg said if a petition was sent to the Board of Education and it was found that the schools were needed the Board would build them. This House had nothing to do with building school houses. The majority of the committee acted on the advice of the Board of Education. He moved the minority report be laid on the table.

Rep. Hookano—A score of the minority I made inquiries as to these petitions, and found that these schools were really necessary. The Board need not let the expense stand in the way. All that was wanted was a house to shelter the children. No ornamental work was required.

Rep. Kanealii said the people had been petitioning the Board of Education since 1886, but to no effect. I move the minority report be adopted.

Noble Walbridge thought the remarks of Noble Isenberg were entirely proper. It was not right to burden the House with these bills, the proper place was the Board of Education.

Rep. R. W. Wilcox moved the previous question. Carried.

The minority report was laid on the table—16 to 12.

President Walker appointed the following committees:

On the Hamakua Water Company franchise: Rickard, Marsden, Halstead, A. S. Wilcox and the Minister of the Interior.

On the Tobacco bill: Cornwell, Paeahole, Waipulani, Isenberg and Phillips.

On the resolution for \$400 for the widow of T. W. Simeona: Paeahole, Waipulani, C. Brown, Widemann and the Attorney-General.

At noon the House took a recess.

Afternoon Session.

The House re-assembled at 1:43 P.M.

Second reading of "An Act defining highways and defining and establishing certain rights and duties in connection therewith."

Rep. Brown moved the bill be considered section by section. Carried.

The report of the Committee on Commerce was read, recommending numerous changes and the passage of the new bill.

Section 1. This Act may be cited in all public proceedings as "The Highways Act, 1890." Passed.

Section 2. All roads, alleys, streets, ways, lanes, courts, places, trails and bridges in the Hawaiian Islands, whether now or hereafter opened, laid out or built by the Government or by private parties and dedicated or abandoned to the public as a highway, are hereby declared to be public highways. All public highways once established shall continue until abandoned by due process of law.

Rep. Brown moved the section pass.

Rep. Paeahole did not approve of the section. He moved that the words "alleys, streets, ways, lanes, courts, places, trails and bridges," be stricken out. If not he would oppose the section.

Noble Widemann moved the House go into Committee of the Whole to consider the bill.

The motion was lost.

Noble Widemann then moved that the bill be indefinitely postponed.

The motion carried—14 to 6.

A motion to re-consider was lost.

Second reading of "An Act relating to the preparation of jury lists and the drawing of juries and the fees of jurors on the Island of Oahu."

The bill, on suspension of the rules, was read by title on motion of Rep. Brown and referred to the select committee on the Justices of the Supreme Court.

Second reading of "An Act to amend Chapter XXVII of the session laws of 1886, by inserting an Act to relieve certain articles of import from custom duties."

Rep. Waipulani moved the bill be referred to the same committee having in charge a bill introduced by Noble Crabbe relating to the quarantine of animals.

Minister Brown moved it be referred to the Committee on Commerce.

Noble Muller thought the bill should go to the Finance Committee, as it relates to duties.

Rep. Knudsen thought that those articles of import named in the bill used by the native Hawaiians, should be stricken out.

The bill was referred to the Finance Committee.

Second reading of "An Act to amend Section 68 of an Act entitled 'An Act to consolidate and amend the law relating to internal taxes,' approved on the 7th day of August, 1882, as amended by Section 20 of Chapter XXXVII of the session laws of 1886."

The bill, on suspension of the rules, was read by title and referred to the Finance Committee.

Second reading of "An Act relating to the compulsory school age of children."

On suspension of the rules, the bill was read by title and referred to the Education Committee.

Second reading of "An Act to settle the title to certain unawarded lands, and to authorize a compromise with the trustees under the will of the late Bernice Pauahi Bishop."

The rules were suspended, the bill read by title and referred to a committee to be known as the Unassigned Lands Committee.

Second reading of "An Act to Amend Chapter XXXV of the Session Laws of 1888, entitled 'An Act to Amend and Consolidate the law relating to Pounds, Estrays, Brands and Marks,' approved August 11th, 1888."

Minister Peterson said this bill was made necessary by a recent decision of the Supreme Court, as the law did not authorize any animals to be taken up trespassing on Government lands. He moved the bill pass to engrossment.

Rep. Waipulani moved the bill be indefinitely postponed. The theory of the bill may be good, but it will work no end of trouble if it passes.

Rep. Brown did not think the bill should be indefinitely postponed. It is necessary for the protection of the Government.

Rep. Kauli—This law can be put in force by the Road Boards all over the Kingdom. I can see this bill is going to make lots of trouble, and be oppressive to people living in the districts.

Rep. Brown moved to insert the words "in any city of the Kingdom" in the first section.

Noble Widemann said he had a neighbor, a way-up swell, and he turns his horses into the road. If I leave my gate open five minutes those horses come into my enclosure. Passing in and out with carriages, it is not convenient to keep the gates closed. I think there should be a law in Honolulu to prevent people turning their pigs, donkeys, horses, etc., into the street. I knew this bill would raise a breeze.

Minister Peterson was surprised to see the breeze this little bill had created. The Government, up to two weeks ago thought they had the right to act according to this bill.

Noble Cornwell said he could see the injury this bill would do on the island of Maui. If this becomes law on the islands of Hawaii and Maui, we shall be right in the hands of the Chairman of the Road Boards.

Rep. Knudsen thought the word "private" superfluous.

Noble Cornwell moved to insert the words "in and around the city of Honolulu."

Noble Parker moved to include Waikapu, Wailuku and Hilo.

The previous question was moved and carried.

The motion to indefinitely postpone the bill was lost.

The amendment offered by Noble Cornwell was passed, and the section passed as amended.

The amended section now reads as follows:

Section 1. That another section, called Section 11A, shall be inserted after Section 11 of said Act, which shall read as follows:

"Section 11A. If any of the animals mentioned in Section 9 of this Act shall trespass or stray upon any of the Government roads in and around the city of Honolulu, or upon any Government land in this Kingdom, the Minister of the Interior, or the Road Boards or road authorities of the several districts, or such person or persons that may be thereto authorized in writing by such Minister or Road Board or road authorities, are hereby authorized to take up such animals and impound the same in accordance with the provisions of this Act. The owner or owners of such animals so taken up or impounded shall pay to the said Minister, or Road Board or road authorities, or such person or persons as may be authorized by him or them as aforesaid the actual expenses incurred in taking up, driving, etc., the said animals, together with all pound fees."

Section 2. This Act shall take effect from and after the date of its approval. Passed.

The title was read and passed; the bill passed to engrossment, to be read a third time on Monday.

At 3:35 the House adjourned.

Ninety-seventh Day.

WEDNESDAY, OCT. 8.

The House met at 10 A.M. Prayer by Chaplain. A quorum was obtained at 10:20, when the minutes were read and approved.

Rep. Lucas, from the Printing Committee, reported Bill 161, relating to Chinese immigration, as printed. Ordered to be distributed.

Rep. Kahookano, from the Judiciary Committee, reported on Bill No. 56, relating to the division of the district of Hana into two distinct districts, and the appointment of two district magistrates. The committee recommend the bill pass to engrossment.

Rep. Kanealii moved the report be adopted.

Minister Brown moved the report be received and laid on the table, to be considered with the bill.

Rep. Paeahole said the bill was very simple; there need be no discussion of it.

The report was received and laid on the table—15 to 10.

Rep. Waipulani presented the majority report of the Select Committee on Bills 175 and 137, relating to the office of governor, and to repeal the law of 1888. The committee recommend Bill 175 be indefinitely postponed, and that Bill 137, with certain amendments, do pass.

Rep. Paeahole moved the report be laid on the table until the minority report is brought in, and the amendments printed. Carried.

Noble Macfarlane, from the Finance Committee, reported on the resolution for \$300 salary for H. G. Crabbe as Station-house Keeper. Mr. Crabbe was granted a leave of absence of three months to visit the United States, and was told that his salary would go on just the same, and the place kept open for him. On his return, he was told his three months' salary could not be paid, as there was no appropriation. The committee think that the treatment of Mr. Crabbe was very shabby. They recommend that the case be considered on its merits before the House.

The report was laid on the table, to be considered with the Appropriation Bill.

Noble Phillips presented the following report:

Hon. J. S. WALKER, President Legislative Assembly.

SIR:—Your Sanitary Committee, to whom was referred petitions Nos. 391 and 392 relating to the retention of Sister Rose Gertrude at the Kailhi Receiving Station, beg leave to report that they have given the matter careful consideration, and they consider that to take action in the matter to accomplish the desired end would be subversive of the dignity of the House, and would be besides an unwarrantable interference in the business of the Board of Health, a separate bureau, and one which cannot be justly interfered with in matters of this nature, viz., the employment, retention or discharge of persons connected directly with the bureau as employees.

Your committee would state further, that they find the lady mentioned resigned from the position occupied by her of her own free will and accord, and no presentation has been made to your committee to show that Sister Gertrude has any desire to be retained or reinstated.

Your committee would, therefore, respectfully recommend that the petitions Nos. 391 and 392 be referred to the Minister of Interior for presentation to the Board of Health.

Respectfully submitted,

JOHN PHILLIPS,
A. P. PAEHAOLE,
J. MARSDEN.

Noble Cornwell moved the report be adopted.

Rep. Nawahi said that if it was subversive of the dignity of the House to interfere in the case of Sister Rose, it would be equally so to interfere in the case of Dr. Lutz. Now, the select committee on the latter case had obtained from Dr. Lutz the conditions on which he would remain, one of which was the retention of Sister Rose as nurse.

The report was laid on the table to await the report of the other committee.

Noble Macfarlane presented the following report:

Hon. J. S. WALKER, President of the Legislative Assembly.

SIR:—The Finance Committee to whom was referred petition No. 229, asking the sum of \$1,266.66 be paid to the officers of the Board of Genealogy for salaries due and unpaid, beg to report as follows: That they find that there is justly due to these parties the following sums: To the President Poomaikalen, salary for August, September, October and twenty-one days in November, at the rate of \$166, \$614.20; to Joseph Liwai, secretary, salary for same time at \$70, \$259; to Manu Kahunaiaole, salary for same time at \$70, \$259, aggregating in all the sum of \$1,132.20.

The office of the Board of Genealogy was abolished on the 21st day of November, 1887, and at that time there was an unexpended balance remaining to the credit of this appropriation of \$4,923.26 and as the salaries of these officers were not paid after July 31st, your committee therefore recommend that an item of \$1,132.20 be inserted in the Appropriation Bill for the payment of these claims up to the time of the abolishment of the Board of Genealogy.

E. C. MACFARLANE,
C. J. MCCARTHY,
E. MULLER,
A. HORNER.

Rep. Nawahi moved the report be laid on the table to be considered with the appropriation bill.

Rep. Kanealii said that in the name of the people he protested against the report. The Board was a worthless relic. This is appropriating money for useless objects. I move the report be indefinitely postponed.

Noble McCarthy fully agreed with the remarks made, but the committee found that this Board was in existence under one of the laws of the statute book. They also found a letter press copy of a letter from the late Minister of the Interior, saying that there was no money in the treasury to pay on account of the Board's appropriations. The claimants were paid their salaries up to July 31st.

Rep. R. W. Wilcox said the House should relieve the committee, who had done their duty. He did not believe these people should be paid. Where are all the records of the Board?

Minister Brown—There is nothing in the archives of the Government.

Rep. R. W. Wilcox—If they have done nothing, they should not be paid. I move the matter be referred to whoever has got the results of the labors of the Board, and he pay the bill.

Rep. Kapaeahole did not think the proper way was to indefinitely postpone the report. That would be a slap at the committee. The report should be laid on the table to be considered with the appropriation bill.

Minister Brown—When the ministry of 1887 took office on July 1st they found the officers of the Board drawing money. A Cabinet council was held, and it was decided to dismiss the officers of the Board. They paid their salaries for the current month of July, but no longer. What the Minister of Interior said about no funds probably referred to the state of the treasury, not to the appropriation, as that was not exhausted. The Ministers did without their salaries for a time, so that there would be money for necessary expenditures. After July 31st these officers made no claim, and apparently considered that they were dismissed.

Noble Macfarlane said the committee were all agreed as to the foolishness of this matter, but found the amounts legally due.

Noble Widemann—Did they fulfill their duties?

Noble Macfarlane—They claim in their

petition they did. Whatever action the House takes, the committee could only find that these people had a legal claim. They further say that the Minister said he did not want the work they had prepared.

Noble Isenberg—I think up to the time these officers were told to stop they should be paid.

Noble McCarthy read two letters written by the late Minister of Interior to the Board, the first notifying them that there was no money in the treasury to pay the bills. The second was in reply to a communication from the Board, saying its work would be continued and the Minister replied that he had no objection so long as the Board did so at their own charges.

Noble Isenberg—They must be paid up to the time the first letter was sent.

Minister Brown—They were so paid.

Noble Isenberg—Then they have no further claim.

Noble Widemann—If this House sees fit to pass the amount, well and good, but I shall not vote for it. The only duties of the Board that I ever heard of was drawing money from the treasury.

The report was laid on the table to be considered with the appropriation bill.

Rep. Nawahi offered a resolution that an item of \$24,000 be inserted in the appropriation bill as a subsidy for a steamship line to San Diego, to be paid at the rate of \$1,000 for each round trip, and in accordance with a contract between the Minister of the Interior and the contractors.

Rep. Kahookano moved the resolution be laid on the table to be considered with the appropriation bill.

Noble Muller moved it be laid on the table. This House has already disposed of this object by the indefinite postponement of the bill.

Minister Brown—I think this question might be settled on a point of order